

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JAN 14 1971

Returned to applicant for correction.....

Corrected application filed.....

Map filed JAN 14 1971

The applicant Robert E. and Peter E. Marble
% Chilton Engineering
of 421 Court, Elko, County of

State of Nevada 89801, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.).....

1. The source of the proposed appropriation is Mary's River
Name of stream, lake or other source.

2. The amount of water applied for is 130 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet 15,000 A.F. acre-feet

3. The water to be used for Irrigation
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 11,000 acres

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 11. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: SW 1/4 SE 1/4, Sec. 5, T42N, R59E,

MDM, at a point from which the NW corner of said Section 5 bears

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

N 32° 54' W 5157.8 feet

it should be stated.

6. Place of use See attached list titled "Place of Use"
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Month Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Earth fill dam to sufficient height to impound waters for storage for irrigation
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$500,000.00
10. Estimated time required to construct works.....10 years
11. Estimated time required to complete the application to beneficial use.....10 years
12. Remarks Please send copies of all notices and correspondence to Applicant.
Address: Deeth, Nevada 89823. For description of inundated lands see
attached. The purpose of this application is to irrigate with stored

waters declared surplus from Mary's River by the State Engineer
(continued on attached sheet)

Map filed in support of storage application is made a part hereof.

Applicant Robert E. & Peter E. Marble

By S/Mark Chilton
Agent
421 Court, Elko, Nevada 89801

Compared jn/jw

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~^{deny} the same, subject to the following limitations and conditions:

This application is hereby denied on the grounds that the applicant has not submitted the information requested by the State Engineer's Office and that without this information, the granting of the application would be detrimental to the public interest.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....
Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No..... Issued.....
Recorded..... Bk..... Page.....
County Recorder

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 2nd day of JULY
A.D. 19 96
[Signature]
State Engineer

12. Remarks cont'd.

The applicants are parties to an appeal from the order of the State Engineer which granted storage applications on behalf of the Elko Fair and Recreation Board. In granting these applications the State Engineer took the position that unappropriated surplus waters exist in the Humboldt River System. The applicants have opposed and will continue to oppose this position. However, the applicants are making this application in order to obtain and protect their water storage priorities in the event that the State Engineer's position is upheld.

DESCRIPTION OF INUNDATED LANDS

Portions of the Following

T 43 N R 58 E MDM

Section 25: $SE\frac{1}{4}$ $SE\frac{1}{4}$

Section 36: $NE\frac{1}{4}$ $NE\frac{1}{4}$

T 43 N R 59 E MDM

Section 30: Lot 3, Lot 4

Section 31: All

Section 32: $SW\frac{1}{4}$ $SW\frac{1}{4}$

T 42 N R 59 E MDM

Section 5: $W\frac{1}{2}$, $SW\frac{1}{4}$ $SE\frac{1}{4}$

Section 6: Lot 1, $NE\frac{1}{4}$ $SE\frac{1}{4}$

Section 8: $NW\frac{1}{4}$ $NE\frac{1}{4}$, $NE\frac{1}{4}$ $NW\frac{1}{4}$

Approximately 346.5 acres

100

100

100

100

PLACE OF USE

T 36 N R 58 E MDM

- Section 12: $\text{SW}\frac{1}{4}$ $\text{NW}\frac{1}{4}$, $\text{E}\frac{1}{2}$ $\text{NW}\frac{1}{4}$, $\text{NE}\frac{1}{4}$, $\text{NE}\frac{1}{4}$ $\text{SW}\frac{1}{4}$, $\text{S}\frac{1}{2}$ $\text{SW}\frac{1}{4}$,
 $\text{W}\frac{1}{2}$ $\text{SE}\frac{1}{4}$, $\text{NE}\frac{1}{4}$ $\text{SE}\frac{1}{4}$
- Section 13: $\text{NW}\frac{1}{4}$, $\text{NW}\frac{1}{4}$ $\text{NE}\frac{1}{4}$
- Section 14: $\text{NE}\frac{1}{4}$ $\text{NE}\frac{1}{4}$, $\text{S}\frac{1}{2}$ $\text{NE}\frac{1}{4}$, $\text{SE}\frac{1}{4}$, $\text{NE}\frac{1}{4}$ $\text{SW}\frac{1}{4}$, $\text{S}\frac{1}{2}$ $\text{SW}\frac{1}{4}$
- Section 15: $\text{S}\frac{1}{2}$ $\text{SE}\frac{1}{4}$
- Section 22: $\text{E}\frac{1}{2}$, $\text{SW}\frac{1}{4}$
- Section 23: $\text{NW}\frac{1}{4}$, $\text{W}\frac{1}{2}$ $\text{SW}\frac{1}{4}$
- Section 27: $\text{NW}\frac{1}{4}$, $\text{N}\frac{1}{2}$ $\text{NE}\frac{1}{4}$, $\text{SW}\frac{1}{4}$ $\text{NE}\frac{1}{4}$, $\text{NE}\frac{1}{4}$ $\text{SW}\frac{1}{4}$, $\text{S}\frac{1}{2}$ $\text{SW}\frac{1}{4}$
- Section 28: $\text{SE}\frac{1}{4}$ $\text{NE}\frac{1}{4}$, $\text{E}\frac{1}{2}$ $\text{SE}\frac{1}{4}$

T 36 N R 59 E MDM

- Section 4: Lots 3 & 4, $\text{SE}\frac{1}{4}$ $\text{NW}\frac{1}{4}$
- Section 5: Lots 1, 2, 3, & 4, $\text{S}\frac{1}{2}$ $\text{N}\frac{1}{2}$, $\text{NW}\frac{1}{4}$ $\text{SE}\frac{1}{4}$, $\text{N}\frac{1}{2}$ $\text{SW}\frac{1}{4}$,
 $\text{SW}\frac{1}{4}$ $\text{SW}\frac{1}{4}$
- Section 6: Lots 1, 2, 5, 6, & 7, $\text{S}\frac{1}{2}$ $\text{NE}\frac{1}{4}$, $\text{SE}\frac{1}{4}$ $\text{NW}\frac{1}{4}$, $\text{E}\frac{1}{2}$ $\text{SW}\frac{1}{4}$, $\text{SE}\frac{1}{4}$
- Section 7: Lots 1, 2, & 3, $\text{E}\frac{1}{2}$ $\text{NW}\frac{1}{4}$, $\text{NE}\frac{1}{4}$ $\text{SW}\frac{1}{4}$, $\text{W}\frac{1}{2}$ $\text{NE}\frac{1}{4}$, $\text{NE}\frac{1}{4}$ $\text{NE}\frac{1}{4}$
- Section 8: $\text{NW}\frac{1}{4}$ $\text{NW}\frac{1}{4}$

T 37 N R 59 E MDM

- Section 1: All
- Section 12: $\text{E}\frac{1}{2}$
- Section 13: $\text{E}\frac{1}{2}$
- Section 24: $\text{E}\frac{1}{2}$, $\text{E}\frac{1}{2}$ $\text{NW}\frac{1}{4}$, $\text{SW}\frac{1}{4}$
- Section 25: $\text{E}\frac{1}{2}$, $\text{E}\frac{1}{2}$ $\text{NW}\frac{1}{4}$, $\text{NW}\frac{1}{4}$ $\text{NW}\frac{1}{4}$, $\text{SW}\frac{1}{4}$
- Section 32: $\text{S}\frac{1}{2}$ $\text{SE}\frac{1}{4}$
- Section 33: $\text{S}\frac{1}{2}$ $\text{SW}\frac{1}{4}$
- Section 36: $\text{N}\frac{1}{2}$ $\text{N}\frac{1}{2}$

T 38 N R 59 E MDM

- Section 1: Lot 4, $\text{SW}\frac{1}{4}$ $\text{NW}\frac{1}{4}$, $\text{NW}\frac{1}{4}$ $\text{SW}\frac{1}{4}$
- Section 2: Lots 1 & 2, $\text{S}\frac{1}{2}$ $\text{NE}\frac{1}{2}$, $\text{SE}\frac{1}{4}$
- Section 11: $\text{E}\frac{1}{2}$
- Section 12: $\text{W}\frac{1}{2}$ $\text{NW}\frac{1}{4}$
- Section 13: $\text{W}\frac{1}{2}$ $\text{W}\frac{1}{2}$
- Section 14: $\text{NE}\frac{1}{4}$, $\text{N}\frac{1}{2}$ $\text{SE}\frac{1}{4}$, $\text{SE}\frac{1}{4}$ $\text{SE}\frac{1}{4}$
- Section 23: $\text{E}\frac{1}{2}$ $\text{NW}\frac{1}{4}$, $\text{NE}\frac{1}{4}$, $\text{E}\frac{1}{2}$ $\text{SW}\frac{1}{4}$, $\text{W}\frac{1}{2}$ $\text{SE}\frac{1}{4}$, $\text{NE}\frac{1}{4}$ $\text{SE}\frac{1}{4}$
- Section 24: $\text{W}\frac{1}{2}$, $\text{W}\frac{1}{2}$ $\text{SE}\frac{1}{4}$
- Section 25: $\text{W}\frac{1}{2}$, $\text{W}\frac{1}{2}$ $\text{E}\frac{1}{2}$
- Section 26: $\text{E}\frac{1}{2}$, $\text{E}\frac{1}{2}$ $\text{NW}\frac{1}{4}$
- Section 35: $\text{E}\frac{1}{2}$ $\text{E}\frac{1}{2}$
- Section 36: All

T 39 N R 59 E MDM

Section 26: $S\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 35: E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

T 37 N R 60 E MDM

Section 7: Lots 1, 2, 3, & 4, E $\frac{1}{2}$ SW $\frac{1}{4}$,

Section 18: Lots 1, 2, 3, & 4, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 19: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 4

Section 30: Lots 1, 2, & 3

T 40 N R 60 E MDM

Section 19: E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$

Section 20: W $\frac{1}{2}$ W $\frac{1}{2}$

Section 29: W $\frac{1}{2}$ W $\frac{1}{2}$

Section 30: All

Section 32: NW $\frac{1}{4}$ NW $\frac{1}{4}$

T 41 N. R 60 E MDM

Section 7: Lots 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 18: Lots 1, 2, 3, & 4, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$

Section 19: Lots 3 & 4, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$

Section 30: Lots 1, 2, 3, & 4, E $\frac{1}{2}$ W $\frac{1}{2}$

Section 31: Lots 1, 2, 3, & 4, E $\frac{1}{2}$ W $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

100

100

100

100

DESCRIPTION OF INUNDATED LANDS

Portions of the Following

T 43 N R 58 E MDM

Section 25: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 36: NE $\frac{1}{4}$ NE $\frac{1}{4}$

T 43 N R 59 E MDM

Section 30: Lot 3, Lot 4

Section 31: All

Section 32: SW $\frac{1}{4}$ SW $\frac{1}{4}$

T 42 N R 59 E MDM

Section 5: W $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 6: Lot 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

Approximately 346.5 acres

17

18

19

20